

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TRICIA H.,

Plaintiff,

v.

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

Case No. 2:23-cv-2090

Judge James L. Graham

Magistrate Judge Caroline H. Gentry

ORDER

This matter is before the Court for consideration of the August 30, 2024 Report and Recommendation of Magistrate Judge Gentry to whom this case was referred pursuant to 28 U.S.C. § 636(b). (ECF No. 12.) Magistrate Judge Gentry recommended that the Court grant Plaintiff's Statement of Errors and reverse the Commissioner of Social Security's decision. (ECF No. 12 at 33). The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen (14) days "will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." (*Id.* at 34). The September, 13 2024 deadline for filing objections to the Report and Recommendation has since expired, and no party has objected to the Report and Recommendation.

The Court agrees with Magistrate Judge Gentry's Report and Recommendation (ECF No. 12), and it is hereby **ADOPTED**. Plaintiff's Statement of Errors is therefore **GRANTED**, and the Commissioner's decision is **REVERSED**. Accordingly, this action is **REMANDED** to the Social Security Administration for further consideration.

The Clerk is hereby directed to enter final judgment in this case.

IT IS SO ORDERED.

/s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: September 17, 2024